

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

**FILED**

SEP 29 2005

CLERK'S OFFICE  
U. S. DISTRICT COURT  
EASTERN MICHIGAN

ARMADA OIL & GAS COMPANY, INC.,  
a Michigan corporation

Plaintiff,

v.

Case No.05-73714

Honorable Julian Abele Cook, Jr.

HADI GROUP DISTRIBUTORS, INC.  
a Michigan corporation

Defendant.

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ORDER

On September 28, 2005, the Plaintiff, Armada Oil & Gas Company ("Armada Oil"), a Michigan corporation, charged the Defendant, Hadi Group Distributors, Inc. ("Hadi Group"), a Michigan corporation, with (1) unfair competition, (2) violation of the Lanham Act, 15 U.S.C. §1051 et seq., and (3) tortious interference with its contracts with various gas stations throughout the State of Michigan.<sup>1</sup> Contemporaneously with the filing of this legal action, Armada Oil has asked the Court in the form of a motion to temporarily restrain the Hadi Group from "supplying petroleum products to any [Armada Oil] branded British Petroleum service stations."

In support of this request for equitable relief, Armada Oil has set forth a series of allegations which facially support its application for a temporary restraining order. More specifically, Armada Oil has satisfied this Court at this stage of the proceedings that (1) it will suffer an irreparable injury if the injunctive relief is not granted, (2) the facts, as outlined in the Complaint, support a legal

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<sup>1</sup>There is no evidence that the Hadi Group has been (1) served with a copy of the Complaint, or (2) made aware of the charges by Armada Oil in this lawsuit as of this date.

conclusion that it will likely succeed on the merits of this controversy, (3) there is no adequate remedy at law that will rectify the injury, about which Armada has complained, (4) the concerns of the general public for a just and orderly society will be served with the granting of a restraining order, and (5) the interests of Armada Oil outweigh the interests of the Hadi Group in this controversy at this time.

Accordingly, the motion by the Plaintiff, Armada Oil, for the issuance of a temporary restraining order shall be, and is, granted. The Defendant, Hadi Group (including all of its officers, representatives, agents and employees), is immediately restrained from supplying petroleum products to any Armada Oil branded British Petroleum service stations until the further order of this Court. A hearing on an additional request by Armada Oil for the issuance of a preliminary injunction shall be heard by this Court on November 17, 2005 at 11:00 a.m. A security bond in the sum of ten thousand dollars (\$10,000.00) is ordered and shall (1) be posted with the Clerk of the Court, and (2) serve as a condition precedent to the efficacy of this directive. The failure or the refusal of Armada Oil to comply with this Order may result in the imposition of an appropriate sanction or the setting aside of this temporary restraining order.

IT IS SO ORDERED.

Dated: September 29, 2005

PURSUANT TO RULE 77(D), FRCvP COPIES HAVE  
BEEN MAILED TO THE FOLLOWING ATTORNEYS:

Douglas R. Switlock

Michael E. Jones

DATE September 29, 2005

Evelyn M. Worsham  
Evelyn M. Worsham, Deputy Clerk

  
JULIAN ABELE COOK, Jr.  
United States District Court Judge